

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

TRICIA HIMEBAUGH,

Plaintiff,

v.

GALVESTON COLLEGE,

Defendant.

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C.A. NO.: 3:24-CV-00197

**GALVESTON COLLEGE’S NOTICE TO THE COURT OF PLAINTIFF’S
FAILURE TO RESPOND TO THE COLLEGE’S MOTION TO DISMISS AND
REQUEST FOR RELIEF**

Defendant Galveston College (the College) files this Notice to the Court of Plaintiff’s Failure to Respond to the College’s Motion to Dismiss and Request for Relief, as follows:

1. On November 22, 2024, the College filed a Motion to Dismiss Plaintiff’s First Amended Complaint. *See* Dkt. 21.
2. Pursuant to the Court’s Procedures, “[r]esponses to motions must be filed within 21 days unless the court orders otherwise.” Gal. Div. R. Prac. 5(g). As such, Plaintiff’s deadline to file a Response was December 13, 2024.
3. As of the date of this filing, Plaintiff has not filed a Response to the College’s Motion to Dismiss.
4. Pursuant to Local Rule 7.4, “[f]ailure to respond to a motion will be taken as a representation of no opposition.” S.D. Tex. L.R. 7.4.

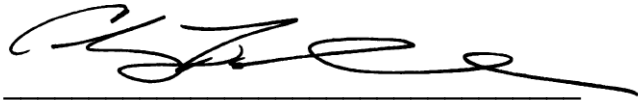
5. As such, the College respectfully requests the Court find Plaintiff has failed to respond and takes no opposition to the College's Motion to Dismiss, take the Motion under submission, grant the College's Motion, and dismiss all claims against it with prejudice. Alternatively, the College respectfully requests the Court set a hearing on the College's Motion to Dismiss at a date and time convenient to the Court.

PRAYER

The College respectfully files this Notice to inform the Court of Plaintiff's failure to file a Response to the College's Motion to Dismiss and respectfully requests the Court find Plaintiff has failed to respond to the Motion, take the Motion under submission, grant the Motion, and dismiss Plaintiff's claims against the College with prejudice. Alternatively, the College requests the Court set the College's Motion to Dismiss for a hearing at a date and time convenient to the Court.

Respectfully submitted,

ROGERS, MORRIS, & GROVER, L.L.P.



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ATTORNEYS FOR GALVESTON COLLEGE

CERTIFICATE OF SERVICE

I hereby certify that on January 2, 2025, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send electronic notification of such filing to all counsel of record.



Attorney for Galveston College